

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KIPP GIBBS, individually and on
behalf of all other similarly situated,

Plaintiff,

v.

SLM CORPORATION, SALLIE MAE
SERVICING L.P., NELLIE MAE, USA
FUNDS, and GENERAL REVENUE
CORPORATION,

Defendants.

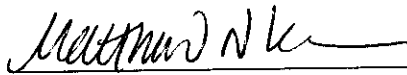
Civil Action No. 03-CV-12565-PBS

AFFIDAVIT OF MATTHEW N. KANE

I, Matthew N. Kane, on oath, state and depose as follows:

1. I am associated with the law firm Donnelly, Conroy and Gelhaar, LLP, counsel for the Defendants in the above-captioned matter. I am an attorney in good standing in every jurisdiction where I have been admitted to practice law.
2. Attached hereto as Exhibit A is a true and accurate copy of *Schwaeble v. Sallie Mae Servicing, L.P.*, 3:02 CU-84 (M.D. Ga. November 5, 2003).
3. Attached hereto as Exhibit B is a true and accurate copy of *Brumberger v. Sallie Mae Servicing Corp.*, C.A. No. 02-2909 (E.D. La. March 28, 2003).
4. Attached hereto as Exhibit C is a true and accurate copy of *Edler v. Student Loan Marketing Association*, 1993 WL 625570 (D.D.C. 1993).
5. Attached hereto as Exhibit D is a true and accurate copy of a January 8, 2004 letter from the Plaintiff to the undersigned counsel.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS
26TH DAY OF JANUARY 2004.



Matthew N. Kane
(BBO #636801)

CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of
the above document was served upon the
attorney of record for each party by ^{overnight} ~~mail~~ ~~by hand~~

Date: 1/26/04 